



General Assembly

January Session, 2001

Amendment

LCO No. 8094

Offered by:

SEN. CIOTTO, 9th Dist.

REP. COCCO, 127th Dist.

To: Subst. Senate Bill No. 284

File No. 364

Cal. No. 283

"AN ACT REVISING CERTAIN MOTOR VEHICLE LAWS."

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- 1 In line 41, after "weight", insert "rating"
 - 2 In line 848, strike the closing bracket after "passenger" and insert a
 - 3 closing bracket after "private"
 - 4 In line 850, strike the closing bracket after "passenger" and insert a
 - 5 closing bracket after "private"
 - 6 In line 870, after "his" insert "or her"
 - 7 In line 1160, strike "owned by the"
 - 8 In line 1161, strike "federal government, state or any municipality,
 - 9 (3)"
 - 10 In line 1164, strike "(4)" and insert "(3)" in lieu thereof
 - 11 In line 1165, strike "(5)" and insert "(4)" in lieu thereof

12 In line 1166, strike "(6)" and insert "(5)" in lieu thereof

13 In line 1281, bracket "sections 14-112 to 14-133, inclusive" and insert
14 "section 14-112 or 14-129"

15 In line 1612, after "corporation" insert ", owned or controlled by a
16 manufacturer,"

17 Strike section 52 and insert the following in lieu thereof:

18 "Sec. 52. Section 14-58 of the general statutes is repealed and the
19 following is substituted in lieu thereof:

20 (a) Each new car dealer, used car dealer or repairer before engaging
21 in such business shall make a separate sworn application to the
22 commissioner for a license to engage in such business in each place of
23 business conducted by [him] such dealer. The application shall include
24 any information that may be required by the commissioner on blanks
25 to be furnished by [him] said commissioner. Each application shall be
26 accompanied by a fee of one hundred forty dollars for each place of
27 business conducted by the applicant, together with the [annual] fee for
28 the type of license for which [he] the applicant is making application,
29 and such fee or fees shall not be subject to prorating and shall not be
30 subject to refund. [On and after July 1, 1985, such application fee shall
31 be sixty dollars, on and after July 1, 1989, ninety dollars, on and after
32 July 1, 1991, one hundred thirteen dollars, and on and after July 1,
33 1993, one hundred forty dollars.] No such license shall be transferable.
34 When such licensee adds buildings or adjacent land to [his] such
35 licensee's licensed place of business, [he shall apply to the
36 commissioner for inclusion of such building or land in his license to
37 engage in such business. Such additions to an existing license shall be
38 considered as the same place of business of the licensee and no
39 additional license fee shall be required by the commissioner] the
40 commissioner may require the licensee to furnish satisfactory evidence
41 of compliance with the provisions of sections 14-54 and 14-55, as
42 amended by this act, or with other applicable provisions of law,
43 administered by the municipality wherein such business is located,

44 concerning building or zoning requirements. When a change of officers
45 of a corporation engaged in such business is made, a notice of the
46 change shall be sent to the commissioner within a period of fifteen
47 days from the date of the change. The commissioner may suspend the
48 license of any corporation, after notice and hearing, when the newly
49 appointed or elected officers cannot be considered as qualified to
50 conduct the business as provided in section 14-51. Each such licensee
51 shall, instead of registering each motor vehicle owned by [him] such
52 licensee or temporarily in [his] such licensee's custody, make
53 application to the commissioner for a general distinguishing number
54 and mark, and the commissioner may issue to the applicant a
55 certificate or certificates of registration containing the distinguishing
56 number and mark assigned to such applicant, and made in a form and
57 containing any further information that the commissioner may
58 determine, and, thereupon, each motor vehicle owned by the applicant
59 or temporarily in [his] the applicant's custody shall be regarded as
60 registered under and having assigned to it such general distinguishing
61 number and mark until sold. For the registration of all motor vehicles,
62 registered under a general distinguishing number and mark, the
63 commissioner shall charge a fee at the rate of twenty dollars per
64 annum or any part thereof for each number plate furnished. On and
65 after July 1, 1985, the fee shall be thirty dollars, on and after July 1,
66 1989, forty-five dollars, on and after July 1, 1991, fifty-six dollars, and
67 on and after July 1, 1993, seventy dollars. No new car dealer may be
68 issued more than one such registration for each ten sales transactions
69 in a year or no repairer or limited repairer may be issued more than
70 three registrations in a year, unless such licensee makes application for
71 an additional registration to the commissioner, in such form and
72 containing such information as [he] the commissioner may require to
73 substantiate such request. No used car dealer may be issued more than
74 three such registrations in a year, provided an additional registration
75 may be issued for each ten sales transactions in excess of thirty such
76 transactions upon submission of such application for an additional
77 registration. The commissioner may issue to each such licensee such
78 additional registrations as [he] the commissioner deems necessary.

79 Registration certificates issued under the provisions of this section
80 shall not be required to be carried upon such motor vehicles when
81 upon the public highways as required under subsection (a) of section
82 14-13, except that the licensee shall issue to each person driving such
83 motor vehicle a document indicating that such person is validly
84 entrusted with such vehicle which document shall be carried in the
85 motor vehicle. The commissioner shall determine the form and
86 contents of this document. Legible photostatic copies of such
87 registration certificates may be carried in such vehicles as proof of
88 ownership. The licensee shall furnish financial responsibility
89 satisfactory to the commissioner as defined in section 14-112, provided
90 such financial responsibility shall not be required from a licensee when
91 the commissioner finds that the licensee is of sufficient financial
92 responsibility to meet such legal liability. The commissioner may issue
93 such license upon presentation of evidence of such financial
94 responsibility satisfactory to [him] the commissioner.

95 (b) Each such licensee shall, instead of registering each motor
96 vehicle owned by [him] the licensee or temporarily in [his] the
97 licensee's custody, make application to the commissioner for a general
98 distinguishing number and mark, and the commissioner may issue to
99 the applicant a certificate or certificates of registration containing the
100 distinguishing number and mark assigned to such applicant, and
101 made in a form and containing any further information that the
102 commissioner may determine, and, thereupon, each motor vehicle
103 owned by the applicant or temporarily in [his] such applicant's
104 custody shall be regarded as registered under and having assigned to
105 it such general distinguishing number and mark until sold. For the
106 registration of all motor vehicles, registered under a general
107 distinguishing number and mark, the commissioner shall charge a fee
108 at the rate of [twenty dollars per annum or any part thereof for each
109 number plate furnished. On and after July 1, 1985, the fee shall be
110 thirty dollars, on and after July 1, 1989, forty-five dollars, on and after
111 July 1, 1991, fifty-six dollars, and on and after July 1, 1993,] seventy
112 dollars per year. No new car dealer may be issued more than one such

113 registration for each ten sales transactions in a year or no repairer or
114 limited repairer may be issued more than three registrations in a year,
115 unless such licensee makes application for an additional registration to
116 the commissioner, in such form and containing such information as
117 [he] said commissioner may require to substantiate such request. No
118 used car dealer may be issued more than three such registrations in a
119 year, provided an additional registration may be issued for each ten
120 sales transactions in excess of thirty such transactions upon submission
121 of such application for an additional registration. The commissioner
122 may withdraw any registration previously issued, or may limit the
123 number of registrations which any licensee is eligible to receive or to
124 hold, in any case where the licensee has been found to be in violation
125 of any of the provisions of section 14-64, as amended by this act. The
126 commissioner may issue to each such licensee such additional
127 registrations as [he] the commissioner deems necessary. Registration
128 certificates issued under the provisions of this section shall not be
129 required to be carried upon such motor vehicles when upon the public
130 highways as required under subsection (a) of section 14-13, except that
131 the licensee shall issue to each person driving such motor vehicle a
132 document indicating that such person is validly entrusted with such
133 vehicle which document shall be carried in the motor vehicle. The
134 commissioner shall determine the form and contents of this document.
135 Legible photostatic copies of such registration certificates may be
136 carried in such vehicles as proof of ownership. The licensee shall
137 furnish financial responsibility satisfactory to the commissioner, as
138 defined in section 14-112, provided such financial responsibility shall
139 not be required from a licensee when the commissioner finds that the
140 licensee is of sufficient financial responsibility to meet such legal
141 liability. The commissioner may issue such license upon presentation
142 of evidence of such financial responsibility satisfactory to [him] said
143 commissioner."

144 In line 2059, strike "section" and insert "sections 14-140 and"

145 In line 2073, after "who has", insert "been convicted of any provision
146 of any general statute relating to motor vehicles or has"

147 In line 2086, after "notification", insert "concerning a failure to
148 comply"

149 In line 2087, after the period insert "Each notification of a conviction
150 shall be made within thirty days of receipt by the commissioner."

151 In line 2111, strike the second "of" and insert "or" in lieu thereof

152 After line 2182, insert section 67 as follows and renumber the
153 remaining sections and internal references accordingly:

154 "Sec. 67. (NEW) Any notification, report or record received from any
155 state that is a member of the driver license compact, may be used by
156 the Commissioner of Motor Vehicles for any purpose authorized by
157 sections 59 to 66, inclusive, of this act in the same manner and to the
158 same extent as any such notification, report or record received from
159 any jurisdiction that is a member of the driver license agreement."

160 In line 2184, after "authority of", insert "sections 60 to 68, inclusive,
161 of"

162 In lines 2588, 2617, 2657, 2708, 2773, 2812, 2857, 2906, 2951 and 3017
163 strike the brackets around "14-16a"

164 Strike sections 81, 82, 83, 85, 87 and 88 in their entirety and
165 renumber the remaining sections accordingly

166 Strike sections 110 and 111 in their entirety and insert the following
167 in lieu thereof and renumber the remaining sections accordingly:

168 "Sec. 110. Subsection (f) of section 14-267a of the general statutes is
169 repealed and the following is substituted in lieu thereof:

170 (f) (1) The penalties provided for in this subsection shall be assessed
171 against the owner of a commercial motor vehicle when the owner, [his]
172 the owner's agent or employee is the operator, or against the lessee of
173 such vehicle when the lessee, [his] the lessee's agent or employee is the
174 operator of a leased or rented commercial motor vehicle.

175 (2) Any person who violates any provision of this section shall be
176 subject to the following penalties: (A) For an overweight violation of
177 not more than five per cent of the gross weight or axle weight limits in
178 subsection (b) of this section, a fine of three dollars per hundred
179 pounds or fraction thereof of such excess weight; (B) for an overweight
180 violation of more than five per cent and not more than ten per cent of
181 either such weight limit, a fine of five dollars per hundred pounds or
182 fraction thereof of such excess weight or a minimum fine of fifty
183 dollars; (C) for an overweight violation of more than ten per cent but
184 not more than fifteen per cent of either such weight limit, a fine of six
185 dollars per hundred pounds or fraction thereof of such excess weight
186 or a minimum fine of one hundred dollars; (D) for an overweight
187 violation of more than fifteen per cent but not more than twenty per
188 cent of either such weight limit, a fine of seven dollars per hundred
189 pounds or fraction thereof of such excess weight or a minimum fine of
190 two hundred dollars; (E) for an overweight violation of more than
191 twenty per cent but not more than twenty-five per cent of either such
192 weight limit, a fine of ten dollars per hundred pounds or fraction
193 thereof of such excess weight or a minimum fine of three hundred
194 dollars; (F) for an overweight violation of more than twenty-five per
195 cent but not more than thirty per cent of either such overweight limit, a
196 fine of twelve dollars per hundred pounds or fraction thereof of such
197 excess weight or a minimum fine of five hundred dollars; and (G) for
198 an overweight violation of more than thirty per cent of either such
199 overweight limit, a fine of fifteen dollars per one hundred pounds or
200 fraction thereof of such excess weight or a minimum fine of one
201 thousand dollars.

202 (3) The court shall note on the record any conviction [or forfeiture of
203 a bond for failure to appear] for an overweight violation in excess of
204 fifteen per cent of the gross weight limits in subsection (b) of this
205 section with respect to any vehicle with a gross vehicle weight of
206 eighteen thousand pounds or more and shall cause such information to
207 be transmitted to the Commissioner of Motor Vehicles. Upon receipt of
208 such information with respect to a third or subsequent conviction for

209 such overweight violation in a calendar year, the commissioner may
210 schedule a hearing, in accordance with the provisions of chapter 54, to
211 review the record of the motor vehicle registrant and shall notify the
212 registrant of the hearing. In such cases, the Commissioner of Motor
213 Vehicles [shall (A) demand of an out-of-state owner or lessee of such
214 motor vehicle a bond, with sufficient surety, to the state, in the sum of
215 two thousand dollars, which bond shall be forfeited to the state upon a
216 second conviction or forfeiture of a bond for failure to appear for such
217 violation, or (B) fine an in-state owner or lessee of such motor vehicle
218 two thousand dollars upon a second conviction. In addition, the
219 commissioner] may review information and evidence presented at the
220 hearing including, but not limited to, frequency of the registrant's
221 commercial vehicle operations, the size of the registrant's fleet and the
222 culpability, if any, of the shipper. After the hearing, the commissioner
223 may impose a civil penalty on the owner or lessee of such motor
224 vehicle of an additional two thousand dollars or revoke the
225 registration, for a period of thirty days, of any commercial motor
226 vehicle so operated and may refuse to issue a registration for such
227 motor vehicle during such further time as the commissioner deems
228 reasonable. [For any subsequent conviction or forfeiture of a bond for
229 failure to appear, the commissioner shall revoke the registration for a
230 period of thirty days. A bond posted pursuant to the provisions of this
231 subdivision shall be held for a period of not more than one year from
232 its posting. Where there is no second conviction or forfeiture of a bond
233 for failure to appear for violation of the limits in subsection (b) of this
234 section during that time, the bond shall be returned to such owner or
235 lessee, as the case may be.]

236 [(4) Upon the third conviction or forfeiture of a bond for failure to
237 appear for overweight violations of subsection (b) of this section with
238 respect to a vehicle with a gross vehicle weight of less than eighteen
239 thousand pounds, the Commissioner of Motor Vehicles shall revoke
240 the registration, for a period of thirty days, of any commercial motor
241 vehicle so operated.]

242 [(5)] (4) An owner or lessee who is assessed penalties pursuant to

243 this subsection [or forfeits a bond for failure to appear] for an
244 overweight violation in excess of fifteen per cent of the gross weight
245 limits in subsection (b) of this section [four] five times during any
246 calendar year shall be assessed by the court an additional [ten] five
247 thousand dollars for the [fourth] fifth violation and an additional five
248 thousand dollars for each subsequent overweight violation in excess of
249 fifteen per cent of such limits in such calendar year.

250 [(6)] (5) No more than twenty-five per cent of any fine imposed
251 pursuant to this subsection may be remitted unless the court
252 determines that there are mitigating circumstances and specifically
253 states such circumstances for the record.

254 Sec. 111. (NEW) Notwithstanding the provisions of section 14-22 of
255 the general statutes and subsection (a) of section 14-49 of the general
256 statutes concerning the biennial period for the registration of a
257 passenger motor vehicle, and for the registration of certain other motor
258 vehicles not used for commercial purposes, the commissioner may
259 issue a registration for any such motor vehicle that is owned by a
260 person, firm or corporation licensed in accordance with the provisions
261 of section 14-15 of the general statutes, and that is the subject of a lease
262 agreement, for a period not to exceed five years, to coincide with the
263 term of such lease agreement. The fee for any such registration shall be
264 adjusted and prorated on the basis of the fee prescribed for a biennial
265 registration. The commissioner may adopt regulations, in accordance
266 with chapter 54 of the general statutes, to carry out the purposes of this
267 section.

268 Sec. 112. Subsection (d) of section 14-36 of the general statutes is
269 repealed and the following is substituted in lieu thereof:

270 (d) (1) No motor vehicle operator's license shall be issued to any
271 applicant who is sixteen or seventeen years of age unless the applicant
272 has held a learner's permit and has satisfied the requirements specified
273 in this subsection. The applicant shall (A) present to the commissioner
274 a certificate of the successful completion in a public secondary school,

275 a state vocational school or a private secondary school of a full course
276 of study in motor vehicle operation prepared as provided in section 14-
277 36e or of training of similar nature provided by a licensed drivers'
278 school approved by the commissioner, including, in each case,
279 successful completion of not less than eight clock hours of behind-the-
280 wheel, on-the-road instruction; (B) present to the commissioner a
281 certificate of the successful completion of a course of not less than five
282 hours relative to safe driving practices, including a minimum of two
283 hours on the nature and the medical, biological and physiological
284 effects of alcohol and drugs and their impact on the operator of a
285 motor vehicle, the dangers associated with the operation of a motor
286 vehicle after the consumption of alcohol or drugs by the operator, the
287 problems of alcohol and drug abuse and the penalties for alcohol and
288 drug-related motor vehicle violations; and (C) pass an examination
289 which shall include a comprehensive test as to knowledge of the laws
290 concerning motor vehicles and the rules of the road and an on-the-road
291 skills test as prescribed by the commissioner. At the time of application
292 and examination for a motor vehicle operator's license, an applicant
293 sixteen or seventeen years of age shall have held a learner's permit for
294 not less than one hundred eighty days, except that an applicant who
295 presents a certificate under subparagraph (A) of this subdivision shall
296 have held a learner's permit for not less than one hundred twenty days
297 and an applicant who is undergoing training and instruction by the
298 handicapped driver training unit in accordance with the provisions of
299 section 14-11b shall have held such permit for the period of time
300 required by said unit. The Commissioner of Motor Vehicles shall
301 approve the content of the safe driving instruction at drivers' schools,
302 high schools and other secondary schools. Such five hours of
303 instruction may be included as part of or in addition to any existing
304 instruction programs. Any fee charged for the course required under
305 subparagraph (B) of this subdivision shall not exceed [twenty-five]
306 forty dollars. The commissioner may waive any requirement in this
307 subdivision, except for that in subparagraph (C) of this subdivision, in
308 the case of an applicant sixteen or seventeen years of age who holds a
309 valid motor vehicle operator's license issued by any other state,

310 provided the commissioner is satisfied that the applicant has received
311 training and instruction of a similar nature. (2) The commissioner may
312 accept as evidence of sufficient training under subparagraph (A) of
313 subdivision (1) of this subsection home training as evidenced by a
314 written statement signed by the spouse of a married minor applicant,
315 or by a parent, grandparent, foster parent or the legal guardian of an
316 applicant which states that the applicant has obtained a learner's
317 permit and has successfully completed a driving course taught by the
318 person signing the statement and that the signer has had an operator's
319 license for at least four years preceding the date of the statement or, if
320 the applicant has no spouse, parent, grandparent, foster parent or
321 guardian so qualified and available to give the instruction, a statement
322 signed by the applicant's stepparent, brother, sister, uncle or aunt, by
323 blood or marriage, provided the person signing the statement is
324 qualified. (3) If the commissioner requires a written test of any
325 applicant under this section, the test shall be given in English or
326 Spanish at the option of the applicant, provided the commissioner
327 shall require that the applicant shall have sufficient understanding of
328 English for the interpretation of traffic control signs. (4) The
329 Commissioner of Motor Vehicles may adopt regulations, in accordance
330 with the provisions of chapter 54, to implement the purposes of this
331 subsection concerning the content of safe driving instruction at drivers'
332 schools, high schools and other secondary schools.

333 Sec. 113. Subsection (d) of section 14-35 of the general statutes is
334 repealed and the following is substituted in lieu thereof:

335 (d) [No] Except as provided herein, no registrant shall rent or allow
336 or cause to be rented, operate or allow or cause to be operated for hire,
337 use or cause to be used for the purpose of conveying passengers,
338 merchandise or freight for hire, or operate as a commercial vehicle
339 with a load, any motor vehicle registered under a [transportation]
340 transporter number plate. The number plate shall not be loaned to any
341 person and shall not be used by its holder for personal purposes,
342 provided the holder may operate, or cause to be operated by a bona
343 fide employee, motor vehicles for the purpose of transportation or

344 repossession of motor vehicles owned by him or temporarily in his
345 custody, including the towing or movement on a contract basis or
346 otherwise of a storage or office trailer, house trailer, modular building
347 or similar, nonpower trailing unit. Any dealer in boats may use, or
348 allow or cause to be used, any trailer so registered for the purpose of
349 transporting a boat or boats, together with any necessary equipment,
350 between a demonstration site and his established place of business."

351 In line 2200, after "subsection" insert the following: ", unless the
352 dealer files the application by means of electronic transmission, in
353 accordance with section 69 of this act"

354 In line 2222, after "section" insert the following: ", unless the dealer
355 files the application by means of electronic transmission, in accordance
356 with subsection (b) of this section"

357 In line 3738 strike "14-16a,"